

CITY AND COUNTY OF SAN FRANCISCO



GEORGE GASCÓN
District Attorney

OFFICE OF THE DISTRICT ATTORNEY

JAMES KERRIGAN
CHIEF OF INVESTIGATIONS

**MEMORANDUM
PRIVILEGED & CONFIDENTIAL**

TO: Chief James Kerrigan
VIA: Capt. Thomas Sawyer
FROM: Lt. Carlos B. Sanchez
DATE: June 3, 2016
RE: Steve Harris modified Subpoena

On Friday, May 13, 2016, at about 1730 hours, Lt. Van Jackson made me aware of a Federal Express (FedEx) envelope received by Paralegal Supervisor Irene Bohannon on May 13, 2016. Ms. Bohannon had earlier contacted Lt. Jackson to determine whose badge number was #7058 in an effort to properly route the received FedEx package which was addressed to "Assistant District Attorney, Hall of Justice, 850 Bryant St., San Francisco, CA 94103."

Lt. Jackson told me that he determined that #7058 belonged to Insp. Steve Harris. After careful review, the contents of the FedEx package contained a copy of our pre-printed criminal subpoena form that ADA's and DAI members use to issue subpoenas to witnesses for court appearances in filed criminal cases.

The form contained a caption of People v. Joenathan P [REDACTED] with a court case number of [REDACTED]. The subpoena was directed to Arleen W [REDACTED] c/o Market Source, in 11770 Great Oaks Way #500, Alpharetta, Georgia, with a phone number of [REDACTED].

The subpoena commanded Arleen W [REDACTED] to appear in Department 301 of the Superior Court of the State of California, in and for the City and County of San Francisco located on the 3rd floor at the Hall of Justice, 850 Bryant St, San Francisco, CA 94103 on 4-29-2016 at 0830. The subpoena further required the person "need not appear in person if all documents are provided in absence of SDT," and further instructs, "Provide copies of application and all personnel file documents, (save Hipa Control docs) for defendant Joenathan P [REDACTED]."

The subpoena is signed by Insp. Steve Harris, based on comparisons of his signature, and his DAI star number 7058 is also hand written to the right of his name. The subpoena is dated 4-20-2016. All entries in the pre-printed criminal subpoenas are handwritten.

The FedEx envelope also contained personnel and payroll type documents, including photo copies of a photo ID and Social Security card for Joenathan P [REDACTED]. Within the large volume of documents, there is a yellow post-it note "ATTN: Steve Harris."

Page 2
June 3, 2016

After some investigation, I determined that the court number was not a court number, but instead a SFPD incident report number taken on 6-1-2015 from victim Target Store for an arrest of Joenathan P [REDACTED] for embezzlement. The case was dismissed by our office with the originally issued court number [REDACTED] due to subject's arrest, to allow subject to participate in our neighborhood court program. The subject did not participate and Lt. Jackson determined that the same subject was a case assigned to Insp. Harris to write a misdemeanor arrest warrant at the request of ADA Marc Massarweh.

I also noted that the subpoena was issued in lieu of a subpoena duces tecum (SDT), for which we cannot issue on non-filed criminal cases and the witness was commanded to appear before the Judge presiding in department 301 which does not exist. It should be noted that room 301 is the office of the Bureau of Investigations where Insp. Steve Harris is stationed. In addition, SDTs are normally prepared in the normal course of duty after a case is criminally filed by ADA's and not DAI members.

On Friday, May 13, 2016, I informed Capt. Tom Shawyer of the above incident. On Monday, May 16, 2016, I was directed to review the incident with Special Prosecutions Unit Managing Attorney Evan Ackiron to determine if we had any criminal violations. [REDACTED]

[REDACTED]

[REDACTED]

Respectfully submitted,

CARLOS B. SANCHEZ,
Lieutenant of Investigations
Criminal Division

CITY AND COUNTY OF SAN FRANCISCO



GEORGE GASCÓN
District Attorney

OFFICE OF THE DISTRICT ATTORNEY

JAMES KERRIGAN
CHIEF OF INVESTIGATIONS

**MEMORANDUM
PRIVILEGED & CONFIDENTIAL**

TO: Inspector Steve Harris
VIA: Chief James Kerrigan
FROM: Lt. Carlos B. Sanchez
DATE: July 14, 2016
RE: Steve Harris issuance of a modified Subpoena
WRITTEN ADMONISHMENT

OVERVIEW

On Friday, May 13, 2016, at about 1730 hours, Lt. Van Jackson made me aware of a Federal Express (FedEx) envelope received by Paralegal Supervisor Irene Bohannon on May 13, 2016. Ms. Bohannon had earlier contacted Lt. Jackson to determine whose badge number was #7058 in an effort to properly route the received FedEx package which was addressed to "Assistant District Attorney, Hall of Justice, 850 Bryant St., San Francisco, CA 94103."

Lt. Jackson told me that he determined that #7058 belonged to Insp. Steve Harris. After careful review, the contents of the FedEx package contained a copy of our pre-printed DA criminal subpoena form that ADA's and DAI members use to issue subpoenas to witnesses for court appearances in filed criminal cases.

The form contained a caption of People v. Joenathan P [REDACTED], with a court case number of [REDACTED]. The subpoena was directed to Arleen W [REDACTED] c/o Market Source, in 11770 Great Oaks Way #500, Alpharetta, Georgia, with a phone number of [REDACTED].

The subpoena commanded Arleen W [REDACTED] to appear in Department 301 of the Superior Court of the State of California, in and for the City and County of San Francisco located on the 3rd floor at the Hall of Justice, 850 Bryant St, San Francisco, CA 94103 on 4-29-2016 at 0830. The subpoena further required the person "need not appear in person if all documents are provided in absence of SDT," and further instructs, "Provide copies of application and all personnel file documents, (save Hippa Control docs) for defendant Joenathan P [REDACTED]."

The subpoena is signed by Insp. Steve Harris, based on comparisons of his signature, and his DAI star number 7058 is also hand written to the right of his name. The subpoena is dated 4-20-2016. All entries in the pre-printed criminal subpoenas are handwritten.

Page 2
June 14, 2016

The FedEx envelope also contained personnel and payroll type documents, including photo copies of a photo ID and Social Security card for Joenathan P [REDACTED]. Within the large volume of documents, there is a yellow post-it note "ATTN: Steve Harris."

After some investigation, I determined that the court number was not a court number, but instead a SFPD incident report number taken on 6-1-2015 from victim Target Store for an arrest of Joenathan Pabon for embezzlement. The case was discharged by our office with the originally issued court number [REDACTED] due to subject's arrest, to allow subject to participate in our neighborhood court program. The subject did not participate and Lt. Jackson determined that the same subject was a case assigned to Insp. Harris to write a misdemeanor arrest warrant at the request of ADA Marc Massarweh based on initial police report, citation and subject's own admission of circumstances.

It should also be noted that the subpoena was issued in lieu of a subpoena duces tecum (SDT), for which we cannot issue on non-filed criminal cases (except in grand jury inquiries) and the witness was commanded to appear before the Judge presiding in department 301 which does not exist. Room 301 is the office of the Bureau of Investigations where Insp. Steve Harris is assigned. In addition, SDTs are normally prepared in the normal course of duty after a case is criminally filed by ADA's and not DAI members (although permitted), with the proper instructions for returning a criminal SDT, as directed pursuant to California Evidence code sections 1560-1567.

LEGAL AUTHORITY

Subpoenas are formal legal documents which are a court-ordered command for a person to appear in court for testimony or produce documents that are at issue in a pending case. There are two types of subpoenas: A *subpoena ad testificandum*, which requires a person to testify before a court or a *subpoena duces tecum* which requires the production of documents, materials, or other tangible evidence.

California Penal Code sections 1326-1332 outline the authority in the issuance and process required for a subpoena. To wit, the following sections permit a subpoena to be signed and issued by District Attorney's Investigators: section 1326(a)(1) "A magistrate before whom a complaint is laid,...the district attorney or his or her investigator,...for witnesses in the state;" section 1326 (a)(2) "[t]he district attorney, his or her investigator,...for witnesses in the state, in support of an indictment or information, to appear before the court in which it is to be tried;" or section 1326(a)(3) "[t]he district attorney or his or her investigator,...in which a criminal action is to be tried."

California Penal Code section 1326(b) states in part "A subpoena issued in a criminal action that commands the custodian of records...to produce books, papers, documents, or records shall direct that those items be delivered...in the manner specified in subdivision (b) of Section 1560 of the Evidence Code."

California Evidence code sections 1560-1567 outline the process in the issuance of a SDT, specifically section 1560(b)(1) which requires the custodian of record to comply "In any criminal action, five days after the receipt of the subpoena." Section 1560(3)(c) requires "The copy of the records shall be separately enclosed in an inner envelope or wrapper, sealed..." and mailed directly to the clerk of the court [EC §1560(b)].

Page 3
June 14, 2016

California Evidence code section 1561 (a) requires "The records shall be accompanied by the affidavit of the custodian or other qualified witness,..." when returned to the clerk.

FINDINGS

The District Attorney's Subpoena issued by Insp. Harris has no validity. It is not in conformance to the above legal authority as prescribed in CA PC 1326 et. seq. and EC 1560 et. seq., to wit:

- The issued subpoena does not have a valid court number.
- There is no filed criminal case against Joenathan Pabon and no pending grand jury investigation.
- Department 301 does not exist at the Hall of Justice as noted and marked in the issued DA subpoena
- No Judge presides over department 301 at the Civic Center courthouse located at 400 McAllister St., San Francisco, although there exists a department 301 at that location.
- The proper directions for a valid SDT were not part of the package.
- No affidavit or proper return was directed in the issued subpoena.
- The instruction on the instant case was to write a misdemeanor arrest warrant based on the police report. No further follow up was necessary to be conducted.

The public faith of all members acting ethically and within the law is expected and was compromised with the issuance of the DA Subpoena in question. It is a compromise of our legal process and public faith. Nor the supervisor or the ADA was conferred upon to discuss the issued subpoena served on Arleen W. [REDACTED] care of Market Source. The issued DA Subpoena method utilized was incorrect and presented to Market Source in an effort to gain documents under false pretenses. At no time was the subpoena filed or represented valid information as prescribed in the legal sections listed above.

RECOMMENDATION

A written admonishment to be provided to make member aware of the law and authority in the issuance of DA subpoenas, both for personal appearance and documents. Remind member of ethical obligations and Bureau policies.

PROGRESSIVE DISCIPLINE PROCESS

The purpose of the corrective discipline memorandum is to encourage change and correct negative behavior, not to punish the employee. Because this memorandum is not a letter of reprimand, POBR sections 3300-3313 of the Government Code does not require the employee to be represented by legal counsel. This corrective discipline should be handled in the following manner:

- Verbal counseling through a written memorandum which will stay in the employee's file for **six months** from the date of counseling. This memorandum will then be destroyed and removed from the employee's file unless further action is required as a result of a lack of compliance by the employee.
- This incident will be noted in the employee's performance evaluation for the appropriate year.

Page 4
June 14, 2016

The next steps in the corrective action process could include, but may not be limited to, further written counseling, notation of inadequacies in this area during the performance appraisal cycle, and/or suspension without pay and/or termination.

EMPLOYEE RIGHTS

• (Sec 3305 GC): No public safety officer shall have any comment adverse to his interest entered in his personnel file, or any other file used for any personnel purposes by his employer, without the public safety officer having first read and signed the instrument containing the adverse comment indicating he is aware of such comment, except that such entry may be made if after reading such instrument, the public officer refuses to sign it.

Should a public safety officer refuse to sign, that fact shall be noted on that document, and signed or initialed by such officer.

• (Sec 3306 GC): A public safety officer shall have 30 days within which to file a written response to any adverse comment entered in his personnel file. Such written response shall be attached to, and shall accompany, the adverse comment.

Attachments:

-Copy of Subject DA Subpoena
-CA PC §§1326-1332
-CA EC §§1560-1567

I acknowledge receipt of the above admonishment.

INSP. STEVE HARRIS

DATE

DISTRICT ATTORNEY'S SUBPOENA
SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

JONATHAN P [REDACTED]

DEFENDANT(S).

CASE NO. [REDACTED]

ARLEEN W [REDACTED] c/o MARKET SOURCE

THE PEOPLE OF THE STATE OF CALIFORNIA TO:

RES. ADDRESS

PHONE:

BUS. ADDRESS

11770 GLEAT OAKS WAY #500

ALPHARETTA, GEORGIA

PHONE: [REDACTED]

YOU ARE COMMANDED TO APPEAR before the Judge presiding in DEPARTMENT 301 of the Superior Court of the State of California, in and for the City and County of San Francisco located on the 3rd floor at the address marked below:



HALL OF JUSTICE
850 BRYANT ST.
SAN FRANCISCO, CA 94103



SAN FRANCISCO SUPERIOR COURT
400 McALLISTER
SAN FRANCISCO, CA 94102

on 04 29 2014 at 0830 m. to testify as a witness in the above-named criminal action on behalf of the People of the State of California.

YOU ARE FURTHER REQUIRED to bring with you the following: NEED NOT APPEAR IN PERSON IF

ALL DOCUMENTS ARE PROVIDED IN ABSENCE OF SDT.

FURTHER INSTRUCTIONS: PROVIDE COPIES OF AFFILIATION AND ALL PERSONNEL FILE DOCUMENTS (GANDI HIPAA CONTROL LOG) FOR DEFENDANT JONATHAN P [REDACTED]
WHEN YOU RECEIVE THIS SUBPOENA

San Francisco District Attorney

Please call

BY

ASSISTANT DISTRICT ATTORNEY
OR INVESTIGATOR

Date issued

★ FAILURE TO OBEY THIS SUBPOENA MAY RESULT IN A WARRANT FOR YOUR ARREST AND PUNISHMENT ★
★ BY CIVIL AND CRIMINAL CONTEMPT (SECTIONS 166 PEN. CODE, 1331 PEN. CODE, 1209 C.C.P.) ★

* A person who is subpoenaed to appear at a session of court may agree with the party at whose request the subpoena was issued to appear at another time or upon such notice as may be agreed upon, in lieu of appearance at the time specified in the subpoena. Sec. 1331.5 Penal Code

As a witness you may be entitled to fees and mileage. A request form is provided by the Court for this purpose. Discuss this matter with the party subpoenaing you or the courtroom clerk at the time you appear. You must appear to make this request.

* Pursuant to Section 1331.5 of the Penal Code any failure to appear pursuant to such agreement may be punished as a civil and criminal contempt.

* As a witness your presence pursuant to this subpoena may be required for the entire day. Please plan accordingly

520

Extremely Urgent

Page 1 of 1

ORIGIN ID: BWIA
TIARRA H
ALLEGIS
7312 PARKWAY DRIVE
HANOVER, MD 21076
UNITED STATES US

SHIP DATE: 12MAY16
ACTWGT: 1.00 LB
CAD: 100136464/INET3730

BILL SENDER

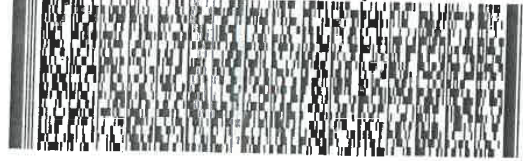
TO ASSISTANT DISTRICT ATTORNEY
HALL OF JUSTICE
850 BRYANT ST

SAN FRANCISCO CA 94103

(707) 225-2692
INV:
PO:

REF: ALLEGIS HR

DEPT:



540116323727F

FRI - 13 MAY 3:00P

STANDARD OVERNIGHT

TRK# 7763 2449 4450
0201

XH JCCA

94103
CA-US SFO



RT 348
FZ 347
1 16:00
A 4450
05:13

HARRIS 000008

DISTRICT ATTORNEY'S SUBPOENA
SUPERIOR COURT OF THE STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

vs.

JONATHAN P [REDACTED]

DEFENDANT(S).

CASE NO. [REDACTED]

ARLEEN W [REDACTED] c/o MARKET SOURCE

THE PEOPLE OF THE STATE OF CALIFORNIA TO:

RES. ADDRESS

PHONE:

BUS. ADDRESS

11770 GLEN OAKS WAY #500

ALPHARETTA, GEORGIA

PHONE: [REDACTED]

YOU ARE COMMANDED TO APPEAR before the Judge presiding in DEPARTMENT 301 of the Superior Court of the State of California, in and for the City and County of San Francisco located on the 3RD floor at the address marked below:



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850 BRYANT ST.
SAN FRANCISCO, CA 94103



SAN FRANCISCO SUPERIOR COURT
400 McALLISTER
SAN FRANCISCO, CA 94102

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WHEN YOU RECEIVE THIS SUBPOENA.

San Francisco District Attorney

Please call _____

BY

[Signature]
ASSISTANT DISTRICT ATTORNEY
OR INVESTIGATOR

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Date issued

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Route

Print

FROM: CABLE ISN: 28915 DATE: 05/13/16 TIME: 16:00:50 ADMIN MSG
 TO: CT07D133 OSN: 00000 DATE: 05/13/16 TIME: 16:00:52
 REPORT 6789 Q C X RUN 05/13/16 @ 16=01 PAGE 1
 P [REDACTED] /JOENATHAN) CTN [REDACTED] SCN [REDACTED]
) SFNO [REDACTED] INCN [REDACTED]
) JAIL# [REDACTED] W/M DOB [REDACTED]

DEFSTATUS SURE) MCN STRKS CELL SURE
 JAILST SURE 060215/0307) OPLIC

----- KEY DATES -----

ARR 060115 REBOOK) BRCN SB00015134
 / /) BW / PSR
 PROBSTAT -) INTR PCD
 SETBAIL \$)

----- SCHEDULED ON CALENDAR -----

O60215/0000 M99 AN

GG021676 BKD 487(B)3PC /F NOW 487(B)3PC /F GRAND THEFT SERVANT ITEMS \$400
 COUNT PLEA / DISM 27

***** END OF REPORT *****

CAD [REDACTED]

[REDACTED] in spreadsheet

Route

Print

FROM: CABLE
 TO: CT07D133
 REPORT 9877
 CT #=
 SF #=
 CELL#=SURE
 JAIL#=
 INC #=
 MCN #=
 SCN #=
 WVTIM= - AJ=
 TOTALCTS=
 BW= -
 RPTREQ=
 CASE DISP= 27/060315/FURTHER INVESTIGATION NECESSARY
 M99|060215|0000|AN

ISN: 29028 DATE: 05/13/16 TIME: 16:03:39 ADMIN MSG
 OSN: 00001 DATE: 05/13/16 TIME: 16:03:43
 Q C A
 TRUE NAME = P /JOENATHAN
 CUR BK NAME= P /JOENATHAN
 CABLE NAME = P /JOENATHAN
 ADDRESS1 =
 1ST FILING =
 LAST FILING=
 DEF STAT = SURE/060215/0856
 JAIL STAT = SURE/060215/0307
 DRIVER LIC#=
 BOND# =
 SAVE= -
 BAILDISP=BX- 061915
 ADMFEE=

RUN 05/13/16 @ 16=03 PAGE 1
 R/S =W/M YRS
 DOB =
 HT-WT= " -
 HR-EY= -
 POB =
 ORI =NWSJ
 SSN# = -
 CII# =
 FBI# =
 BWRET=
 STRKS=

SCHEDULED COURT DATES

Route

Print

FROM: CABLE ISN: 29029 DATE: 05/13/16 TIME: 16:03:39 ADMIN MSG
TO: CT07D133 OSN: 00002 DATE: 05/13/16 TIME: 16:03:57
ACTION GS021676 CURCHG 487(B)3PC /F/ GRAND THEFT BY SERVANT OV \$400 COUNT
BOOKCHGCD= 487(B)3PC /F/ 060115/1841 GRAND THEFT SERVANT ITEMS \$400 LOG3
DISPCD= 27 = 060315 - FURTHER INVESTIGATION NECESSARY

Route

Print

FROM: CABLE ISN: 29030 DATE: 05/13/16 TIME: 16:03:39 ADMIN MSG
TO: CT07D133 OSN: 00003 DATE: 05/13/16 TIME: 16:04:12
|06/01/15|BK |BOOKED=060115/2303 ARRESTED=060115/1841 REBOOKED=
| | |WHENRELEASE=060215/0307 WHEREARR=789 MISSION ST
8715 REPORT NO- [REDACTED] 8715 DATE= 060315

***** E N D O F R E P O R T * * * * *

San Francisco Police Department
INCIDENT REPORT

Report Type: Initial

I N C I D E N T	Incident Number	Occurrence From Date / Time	Occurrence To Date / Time	Reported Date / Time	CAD Number
		06/01/2015 12:30		06/01/2015 12:30	
	Type of Incident EMBEZZLEMENT, GRAND THEFT BY EMPLOYEE 10045				
	Location of Occurrence: 789 MISSION ST At Intersection with/Premise Type 4TH ST / MISC. BUILDING OR STORE District SOUTHERN				
O F F I C E R A T I O N	Confidential Report? <input type="checkbox"/>	Arrest Made? <input checked="" type="checkbox"/>	Suspect Known? <input type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>
				Domestic Violence? <input type="checkbox"/>	(Type of Weapon Used)
	Location Sent / On View: 789 MISSION ST			At Intersection with 4TH ST	
	Crime and Clearance Status 6			Reporting District SOUTHERN	
V I C T I M	Related Case	Related Case	Re-assigned to	Assigned to	Assigned by
			Copies to 3B300 5F200	3B300	SG 2317
	I declare under penalty of perjury, this report of 4 pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.				
	PROP 115 CERTIFIED 5 Year/Post				
R E P O R T E E	Reporting Officer	Star	Station	Watch	Date
	GOMEZ, STEVEN	2317	Southern Station	1100-2100	06/02/15 11:51
	Reviewing Officer	Star	Station	Watch	Date
	HURWITZ, AMY L	4146	Southern Station	1100-2100	06/02/15 12:08
R E P O R T E E	OIC	Star	Station	Watch	Date
	MILLER, DANIEL L	1008	Southern Station	0600-1600	06/02/15 14:22
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>	Follow-up Form YES <input type="checkbox"/>	Statement YES <input type="checkbox"/>
	School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language		
R E P O R T E E	Code	Name (Last, First Middle)	Alias	Email	
	V 1	TARGET, TARGET			
	Day Phone	Home Address	City	State	Zip Code
	Night Phone	Work Address	City	State	Zip Code
R E P O R T E E	DOB / Age	DOB	or age between and	Race	Sex
	Height	Weight	Hair Color	Eye Color	ID Type Jurisd. ID No.
R E P O R T E E	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>	Follow-up Form YES <input checked="" type="checkbox"/>	Statement YES <input type="checkbox"/>
	School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language		
	ASSETS PROTECTION AT TARGET. NFI PROVIDED.				

2015 MAY 16 P 4:08

RMS UNIT

Incident#

Page 1 of 4

HARRIS 000014

San Francisco Police Department

Report Type: Initial

INCIDENT REPORT

BOOKED	Code B 1	Name (Last, First Middle) P [REDACTED] JOENATHAN				Alias		Email no email given			
	Day Phone		Type	Home Address [REDACTED]			City [REDACTED]		State CA	Zip Code	
	Night Phone		Type	Work Address			City		State	Zip Code	
	DOB Unknown <input type="checkbox"/>	Date of Birth [REDACTED]	Age [REDACTED]	or age between and		Race [REDACTED]	Sex [REDACTED]	Height [REDACTED]	Weight [REDACTED]	Hair Color [REDACTED]	Eye Color [REDACTED]
	SFNO	J/D# (if Juvi)	ID Type/Jurisdiction/Number			ID Type/Jurisdiction/Number		ID Type/Jurisdiction/Number			
	Booking Charge(s) 487(b)(3) PC						Booking Location SOUTHERN STATION				
	Warrant #	Court#	Action#		Dept#		Enroute to				
	Warrant Violation(s)							Bail (\$)			
	Citation#	Violation(s)				Appear Date/time		Location of Appearance			
	<input type="checkbox"/> CA Form Booked Copy Attached	Mirandized: Star <input type="checkbox"/>		Date Time		CWB Check MARTINEZ		Star 27			
Book/Cite Approval SGT. HURWITZ	Star 4-146	Mass Arrest Code		M X-Rays <input type="checkbox"/>		School (if Juvenile)			Statement <input type="checkbox"/>		
Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos CLOTHING: BLACK LEATHERMAN JACKET, BLK T-SHIRT, DARK KHAKI SKINNY JEANS, RED NIKE SHOES. NFD/NFI PROVIDED.											

PROPERTY	Code/No EVD 1	Item Description COMPACT DISC				Brand MEMOREX		Model CD-R	
	Serial No.	Gun Make	Caliber	Color SIL	Narcotics Lab No.	Quantity 1	Value		
	Seized by (Star) 2317		From Where 789 MISSION STREET (TARGET)						
	Additional Description/Identifying Numbers Compact disc contains surveillance footage of (B)P [REDACTED] Retained by Sgt. Stansbury #2357 Co.B SIT.								

PROPERTY	Code/No EVD 2	Item Description LOSS PREVENTION REPORT				Brand TARGET		Model	
	Serial No.	Gun Make	Caliber	Color MUL/COL	Narcotics Lab No.	Quantity 9	Value		
	Seized by (Star) 2317		From Where 789 MISSION STREET						
	Additional Description/Identifying Numbers Loss prevention report. Booked into evidence at Co.B.								

PROPERTY	Code/No EVD 3	Item Description COVER LETTER				Brand		Model	
	Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 3	Value		
	Seized by (Star) 2317		From Where 789 MISSION STREET						
	Additional Description/Identifying Numbers Cover letter written by (R) H [REDACTED] outlining incident with (B) P [REDACTED] Booked into evidence at Co.B.								

Incident# [REDACTED]

HARRIS 000015

Released by A34257 on 5/16/2010 at 4:01:37 PM
San Francisco Police Department
INCIDENT REPORT

Report Type: Initial

PROPERTY	E 4	Code/No EVD 4	Item Description ADMISSION FORM			Brand TARGET	Model ASSETS PROTECTION	
		Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value
		Seized by (Star) 706		From Where 789 MISSION STREET				
	Additional Description/Identifying Numbers Admission statement regarding incident and signed by (B) P [REDACTED]. Booked into evidence at Co.B.							
PROPERTY	S 1	Code/No SAR 1	Item Description TABLET			Brand APPLE	Model IPAD MINI	
		Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 3	Value \$499.00 Per Item
		Seized by (Star)		From Where				
	Additional Description/Identifying Numbers							
PROPERTY	S 2	Code/No SAR 2	Item Description TABLET CASE			Brand	Model IPAD	
		Serial No.	Gun Make	Caliber	Color BLK	Narcotics Lab No.	Quantity 1	Value \$40.00 Total
		Seized by (Star)		From Where				
	Additional Description/Identifying Numbers							
PROPERTY	S 3	Code/No SAR 3	Item Description WATCH			Brand FITBIT	Model	
		Serial No.	Gun Make	Caliber	Color BLK	Narcotics Lab No.	Quantity 1	Value \$149.00 Total
		Seized by (Star)		From Where				
	Additional Description/Identifying Numbers Fitness meter watch.							
PROPERTY	S 4	Code/No SAR 4	Item Description MP3 PLAYER			Brand APPLE	Model IPOD	
		Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value \$145.00 Total
		Seized by (Star)		From Where				
	Additional Description/Identifying Numbers							
PROPERTY	S 5	Code/No SAR 5	Item Description CELLPHONE CHARGER			Brand GEM	Model BATTERY PACK	
		Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value \$11.99 Total
		Seized by (Star)		From Where				
	Additional Description/Identifying Numbers							

Incident# [REDACTED]

Page 3 of 4

HARRIS 000016

Received by AD-257 on 5/16/2016 at 4:03:37 PM
San Francisco Police Department
INCIDENT REPORT

Report Type: Initial

NARRATIVE

On 06/01/15 at 1230 hrs., I (3B1C) was dispatched to (V) 789 Mission Street (Target) regarding an embezzlement. Upon my arrival, I met with assets protection investigator (R) H [REDACTED] who told me the following:

On 05/29/15, H [REDACTED] was alerted by a cash auditor for Target that there were suspicious transactions that occurred on 05/24/15 and 05/28/15. H [REDACTED] reviewed surveillance footage on 05/24/15 of former employee, (B) P [REDACTED], who entered a cash payment for an (STOLEN/RECOVERED1) iPad mini, an (STOLEN/RECOVERED2) iPad case, and a (STOLEN/RECOVERED3) fitness meter watch into a register totaling \$1800.21. At no point did Pabon enter any cash into the register for the above mentioned items.

On 05/28/15, H [REDACTED] reviewed surveillance footage of P [REDACTED] who entered a payment for (STOLEN/RECOVERED1) two iPad mini's, and (STOLEN/RECOVERED4) iPod, and a (STOLEN/RECOVERED5) Gems phone charger items totaling \$1,262.05. P [REDACTED] did not enter any cash into the register for the above listed items.

I received a (E1) compact disc from H [REDACTED] that contained surveillance footage of the incidents with P [REDACTED]. I also received an (E2) loss prevention report, and an (E3) cover letter from H [REDACTED] that outlined the incident regarding P [REDACTED].

I gave H [REDACTED] a Follow-Up Form with an assigned case number.

On today's date at 1841 hrs., I was notified by Officer Aguayo #706 (3B1C) that he was dispatched to 789 Mission Street regarding P [REDACTED]. P [REDACTED] began his shift at Target and was detained by H [REDACTED]. Officer Aguayo had placed P [REDACTED] into custody for embezzlement without incident. Officer Aguayo checked for the proper degree of tightness on the handcuffs and double-locked them.

Officer Aguayo had received a (E4) admission statement form from H [REDACTED] with P [REDACTED]'s signature. The form had a brief summary from P [REDACTED] regarding the incident. Due to P [REDACTED]'s illegible writing, I could not determine what P [REDACTED] wrote in the admission form.

Officer Aguayo transported P [REDACTED] to Southern Station.

While at Southern Station, I notified Sgt. Stansbury #2387 Co.B SIT of the incident, and he took over the investigation and re-booking.

I booked P [REDACTED] for 487(b)(3) PC (grand theft, embezzlement by employee) at Southern Police Station with Sgt. Hurwitz's #4146 (3B115) approval.

Sgt. Stansbury retained the (E1) compact disc with surveillance footage as evidence. I booked (E2) report, (E3) cover letter, and (E4) admission form into evidence.